RIGHT TO ISSUE CERTIFICATES NOW WATER PROBLEM

Meaning of New Charter in Question; Commissioner Daly Thinks City Has Right; Contrary View Held.

Whether the city can issue public utility certificates for the development of the city wafer system or whether the section of the new charter which provides that no bonds other than bonds for public improvements payable out of assessments upon property benefited, shall be issued unless approved by a vote of the people, apply to water bonds, are questions causing a diversity of opinion at the city hall.

Will H. Daly, commissioner of public utilities, who has charge of the water department, is of the opinion that the new charter gives the city the power to issue certificates for the building of water extensions. City Attorney La Roche says, however, that the city can not issue certificates for the building of the water system. He will render a written opinion this afternoon.

Mr. La Roche said this morning that while he had not looked into the matter thoroughly he believed that the charter provision regarding the non issuance of bonds for public improvements, did not apply to water bonds.

The question came up yesterday when Mr. Daly sought legal advice on how to proceed to raise money for necessary water extension work. He had contemplated doing away with the usual 4 per cent water bonds which have been used to finance extensions in the past and substitute the public utility certificates which he believed were permitted under the new charter.

Concur in View.

Other attorneys gave the same opinion as did Mr. La Roche.

Commissioner Daly had planned to issue certificates in small denominations and sell them to the residents of the city at par. The certificates were to be only for a short period of time, and possibly the interest paid would be larger than that paid on the water bonds in the past. This was to be secured by revenue from the water system.

Mr. Daly based his opinion regarding the sale of the usual class of water bonds on the following section of the charter:

"Section 120.—No bonds other than bonds for public improvements payable out of assessments upon the property benefited, and sewer bonds if otherwise authorized, shall be issued unless approved by vote of the people at a general or special election at which the question shall be submitted in the same manner as other measures are submitted under the initiative and referendum. This provision shall not apply to bonds heretofore authorized. All bonds of the city of Portland shall be sold to the highest responsible bidder."

Charter Provision Cited.

The provision of the charter under which he expected to sell the public utility certificates follows:

"The council is hereby granted power to issue and sell interest bearing public utility certificates for the construction or acquisition by purchase, condemnation or otherwise of any public utility to be operated by the city. The certificates shall be secured by a mortgage or mortgages upon such public utility plant and the revenues thereof, but the same shall not be a general liability of the city and shall be paid solely from the revenues derived from the plant or from the sale thereof. Such power shall be exercised only by ordinances which shall be subject to referendum in like manner and upon like terms and conditions as ordinances granting franchises."

JURY CANNOT AGREE IN STRIKERS' CASE

A second jury of six men in the municipal court failed to agree upon a verdict last night in the case against Mrs. Mary R. Schwab, charged with abusive language at the Oregon Packing company plant. The final vote stood two for conviction and four for acquittal. The charge was one of four tried Monday jointly with three other charges, all involving the woman's conduct on the picket line.

The six jurors yesterday were E. W. Case, Milo Wylie, E. E. Buck, J. S. Crumley, John M. Mann and J. W. Bickford. Monday's jury stood five for conviction and one for acquittal.

Mrs. A. R. McDaniels was the complaining witness. Her testimony was to the effect that Mrs. Schwab had used abusive language toward her, because she would not go on the strike. Mrs. Schwab and her witnesses testified such language was not used. A wide discrepancy in testimony was shown. Mrs. Schwab and her followers were arrested shortly after 12 o'clock, noon, the arrest docket showing this. All police officers testified she was taken to the station after the noon hour. Mrs. Schwab testified she was arrested about 10 o'clock.

Other cases involving the trouble will be tried Friday.

SHERIFF INVESTIGATING LAW ON MUZZLING DOGS

Sheriff T. M. Word today has the district attorney's office looking up the law in regard to the muzzling of dogs. District Attorney Evans is reading up on the subject and will let the sheriff know whether or not the subject is covered by a state law.

Since the war on unmuzzled dogs was declared the sheriff's office has been besieged by a large number of citizens who request that the "dog next door" be muzzled. The sheriff is not certain whether his men can take action in such cases and has asked the district attorney to advise him.

Charged With Jumping Board Bills.

Complaints have been filed in the district court by Mrs. Maude Preuitt, who conducts a boarding house at 235 Twelfth street, against Robert Herkermer and W. C. McCune, charging that they attempted to flee the city without paying their board bills. Their cases will come up for trial before Justice Jones of the district court Friday.

Bartender Fined $100.

A fine of $100 was given James Welsman, bartender for the old Ericson saloon at First and Burnside streets yesterday afternoon in the municipal court for selling liquor to an intoxicated man.

RETURNS FROM VETERANS' REUNION

James P. Shaw, Representative of Governor, Back From Gettysburg.

James P. Shaw, who was commissioned by Governor West to represent Oregon at the recent reunion of Civil war veterans at Gettysburg, returned home today.

Speaking of the reunion, Mr. Shaw said: "It was a most affecting sight to see northerner and southerner with arms around necks recalling old incidents to the accompaniment of tears. Another striking feature was the fact that the great assemblage of veterans, whose average age was 73 years, was not attended by serious accident. During the celebration there were only nine deaths among the 55,000 old soldiers gathered there.

"The policing of the grounds by the force of 250 members of the mounted constabulary of Pennsylvania was most excellent. There was not a single accident. The only unpleasant feature was the incident in which an old veteran resented a slurring remark of a young man concerning Abraham Lincoln.

"A small sized riot ensued and the young man, seeing that he was in for it, drew a knife and six or seven men, including one of the constabulary, were cut slightly."

Mr. Shaw had charge of the Oregon delegation, numbering 81, and so well did he look out for them that they showed their appreciation by voting him a special resolution of thanks. On governor's day Mr. Shaw represented Governor West.

"Our boys," said Mr. Shaw, "were overwhelmed with gratitude over the magnificent ovation given them by the people of Oregon on their departure from this city and they wished me to express how well pleased they were."

After leaving Gettysburg Mr. Shaw visited in Washington and New York. At the national capital he attended a session of the senate lobby investigation and was much impressed with the questioning of witnesses by Senator Reed of Missouri.

"I said to Senator Nelson," said Mr. Shaw, "that if I ever was examined by Reed I would just throw up my hands and say I will testify to all you want me to."

SEEKS BUILDING FOR MUNICIPAL GARAGE

A building on the waterfront to be used for a municipal garage, gasoline filling station and municipal repair shop is being sought by J. R. Wood, city purchasing agent. While he was authorized by the council yesterday to advertise for bids for such a building he wants the structure to be located on the waterfront where easy access can be had to all river craft.

At first it was planned to have only a municipal garage and gasoline filling station but after Mr. Wood had spent several days inspecting the various workshops of the city, he decided it would be necessary to also have a municipal repair shop in connection with the garage.

With this shop installed all of the repair work can be done under supervision of Mr. Wood's office. This will mean a minimum amount of shop tools and equipment, thereby making a saving of large amounts of money each year. All of the departments under Mr. Wood's plan will have their repair work done here. These include the police, fire, water, street cleaning and other departments.

MELVILLE GETS PHONE CONNECTION TO ASTORIA

(Special to The Journal.)

Astoria, Or., July 17.—The six miles of telephone line with 10 subscribers connected, and many more in prospect, extending along the Lewis and Clark river from the upper bridge, was completed into Melville yesterday, and that city is connected with Astoria today. The line is a private corporation operating under the name of the Melville Telephone company, of which Olof Erickson is president and J. F. Thornburn is secretary. The connection of this line will add much to the convenience of ranchers and farmers of that vicinity.

WHITE CEDAR FESTIVAL TO BE ANNUAL AT BANDON

(Special to The Journal.)

Bandon, Or., July 17.—The White Cedar festival, "let 'er Rip," is to be an annual event in Bandon, held during the last week in August. Preliminary arrangements were made at a meeting of the business men of the city this week. A committee was appointed and instructed to make arrangements for the first annual affair, to be held next month. It is planned to have the celebration last an entire week and be carried out along lines characteristic of this section.

SECRETARY OF NAVY WILL VISIT PORTLAND

Postmaster Frank Myers today received a telegram from the private secretary of Secretary of the Navy Josephus Daniels to the effect that Mr. Daniels will stop in Portland a few minutes July 20, on his way from Tacoma to San Francisco.

Mr. Myers, United States Attorney Reames, Collector of Customs Burke and several others will meet him.

Woman Frightened, Falls on Stove.

Santa Monica, Cal., July 17.—Attacked by a giant negro while alone in the house on her ranch in the lonely Malibu section, 30 miles from here, Mrs. E. L. Shipley, 60 years old, fell across a stove and sustained frightful burns.

The negro fled, frightened by her screams. In spite of her injuries, the aged woman saddled a horse and rode three miles to the home of a neighbor, where she fell fainting from the animal.

The neighbor brought her to the home of a daughter here, where it was stated that she will recover. Officers were sent from Santa Monica to search for the negro.

Lineman Touches Wire, Dies.

(Special to The Journal.)

Spokane, Wash., July 17.—Coming in contact with high tension wires carrying 2300 volts, James McLaren, aged 30, lineman for the Washington Water Power company, was instantly killed at Osburn, Idaho, last night. The accident happened while McLaren and W. I. Anderson were splicing wires. McLaren lived in Spokane

EAST SIDERS TO BE HEARD UPON THE DOCK ISSUE

Business Interests Which Want Central Dock on East Side to Appear Before Commission Next Thursday.

East side business interests which have been clamoring for the immediate construction of a central east side dock will be given a hearing before the dock commission next Thursday morning, when additional arguments will be entertained from speakers who have not previously discussed their views. Two letters were read before the commission this morning from L. M. Lepper, vice president and chairman of the transportation committee of the East Side Business Men's association, urging the commission to make good its promise to hasten the construction of the dock for benefit of the "shippers now living."

Discussion of the Martin dock condemnation project was informal, Chris Bell, representing the Northern Pacific Steamship company, urging that action be deferred until he could communicate further with the San Francisco offices of the company and investigate the facts a little more fully. The commission has suggested the use of the Albers Brothers' Milling company dock as suitable for the ships of the company temporarily. Mr. Bell, however, suggested that the commission be considering the plan of building the first unit of the proposed new dock at once, and not wait for the entire structure before docking at the Martin site is restored.

The commission agreed to meet with the steamship officials next Monday morning, when the subject would be gone over in detail.

The commission today asked that a delegation of Willamette valley lumbermen appear before the commission next week to explain more fully what dock and storage facilities they require to secure a proper outlet for their product in Portland. A communication from H. C. Auld of Eugene, representing the Willamette Valley Lumbermen's association, urged that such dock facilities be offered. Statistics on tonnage are needed, however, to guide the commission.

WOMEN TURN MONEY OVER TO OFFICIALS

A sum of money which would be large to a poor man but would bankrupt nobody, was found on Decoration day by two women, Mrs. R. J. Hewitt and Mrs. W. G. Wilson. The money was in bills of small denomination. The women kept the money for some time making only verbal inquiries. A short time ago they advertised the find but received no response.

Later they learned they had violated the law, which requires advertising within 15 days of finding anything and then they took the case to the district attorney's office, where they explained their situation. Deputy District Attorney Deich now has the money, which will be turned over to the owner on proper identification.

CHINESE DOCTOR MAY BE SUED FOR DEATH

A petition for the issuance of letters of administration of the estate of Eliza Rumi to Fred Rumi was filed this morning by Attorney C. T. Haas. Mrs. Rumi died July 8 while under the care of Wing Lee, a Chinaman, who was later convicted of practicing medicine without a license and given a $100 fine and 90 day imprisonment by Municipal Judge Stevenson. Her death occurred from tuberculosis and her only estate is a claim against the Chinaman for causing her death through negligence. It is to make possible a suit for damages against the Chinaman that the appointment of an administrator is asked. A year old son is the only other heir.

PRISONER BECOMES A RAVING MANIAC

Oscar Ollikainer, arrested and charged with vagrancy during the I. W. W. disturbance Tuesday night, became a raving maniac yesterday and was examined and sent to the asylum. He came to Portland but three days ago, and it was learned by County Agent Harry Bulger that he deserted from a ship at Astoria.

United States Naturalization Examiner Hazard was notified by Bulger, and steps are being taken for his deportation. Today a Japanese was found insane, making a total of 26 examined for insanity in 17 days of July. Two were found sane and were discharged.

PAYMENTS OF WIDOWS PENSION MONEY BEGINS

Although many of the women to whom pensions have been granted under the widow's pension law have been receiving the benefit of the pensions for some time through credit systems, the actual payment of the money began yesterday. All told 41 pensions were allowed and $1005 paid out.

Eight more pensions were passed upon favorably yesterday by the case committee and will probably be formally granted by Circuit Judge Gatens Monday. They total $117.50 and will make the number granted 51. Applications made so far number 208.

DELINQUENT TAX LISTS ARE BEING MAILED

In order to save the taxpayers as much money as possible in the publication of the delinquent tax list the tax collection department of the sheriff's office is now engaged in mailing statements of delinquent taxes to property owners in Multnomah county. Next month the delinquent tax list must be published, and as this is rather an expensive proceeding, the tax collectors hope to reduce the length of the list considerably before that time.

HOOK TEARS OPEN HIP AND GROIN OF LOGGER

(Special to The Journal.)

Sheridan, Or., July 17.—Gus Lundin of Coos Bay, a logger in the new Bramhill-Ryan sawmill in Gopher Valley, eight miles north of here, was struck by a hook on a choker line and had his hip crushed and groin torn open. He was taken to a Portland hospital on the afternoon train, accompanied by a local doctor. His condition was very serious.

Journal Want Ads bring results.

LAFAYETTE PIONEER NOW A NONAGENARIAN

J. M. Belcher, a groom of nearly 70 years ago, whose wife is still living.

(Special to The Journal.)

Lafayette, Or., July 17.—J. M. Belcher celebrated his ninetieth birthday last Friday. Not only is he the oldest man in this vicinity, but he is also a pioneer, having come to this place in February, 1864. He has been engaged in the mercantile business for a number of years but disposed of this some years ago on account of age. Mr. Belcher has been married for nearly 70 years and both he and his wife, who is nearly as old, are still in a fair degree of health. In fact, a recent examination by a competent doctor failed to reveal any disease in him. Aside from a failing memory and that he is gradually growing more feeble, there is no symptom of a decline.

Mr. Belcher is the father of C. T. Belcher, former proprietor of the St. Charles hotel and also of Collins' springs. Mr. and Mrs. Belcher first came to Oregon in 1851, locating a donation claim between this place and Salem, where they resided for a number of years before moving into town. They have been closely connected with the early history and development of this place and are well and widely known. Miss Belle Belcher, their daughter, has for years past been actively connected with the work of the Pioneers' association.

WEST VIRGINIA, OHIO ARE SWEPT BY FLOODS

(United Press Leased Wire.)

Wheeling, W. Va., July 17.—A terrific wind and rain storm visited West Virginia and southeastern Ohio last night and today, causing floods which endangered the lives of thousands of persons. The telephone operators throughout the territory affected stuck to their posts, sending out warnings to the people to flee for their lives. The storm was the most violent of the year.

Immediately after warnings had been issued all wires were demolished and the extent of the damage is not known, but it is believed that the heroic work of the telephone employes prevented any fatalities.

The storm reached the proportions of a cloudburst in this vicinity. Big and Little Wheeling creeks, which flow through this city, soon became raging torrents.

EUGENE EDITOR BUYS SAN JOSE NEWSPAPER

(United Press Leased Wire.)

San Jose, Cal., July 17.—The election of E. J. Finneran, formerly editor of the Daily Guard of Eugene, Or., is announced here today as president of the Consolidated Publishing company, which prints the San Jose Morning Times. Louis O'Neal, a politician and attorney, is said to be the guiding hand in the new organization.

The entire editorial and business staff of the Times resigned on the spot when it was announced that Finneran had purchased for $60,000 a controlling interest in the paper. The employes held an option, which expires today, for $40,000.

TWO SUCCESSFUL AIR FLIGHTS AT POTLATCH

(United Press Leased Wire.)

Seattle, Wash., July 17.—Two successful aeroplane flights over Elliott Bay and the city were features of this morning's program of the Potlatch. Aviatrice Miss Alys McKay made the first flight at 10 o'clock lasting 20 minutes, and Takasa, the Japanese aviator, made a flight at 10:30 lasting 15 minutes.

Both flights were entirely successful and without accident.

Stranger Hangs Himself in Camp.

(Special to The Journal.)

Bend, Or., July 17.—An unidentified man about 45 years old hanged himself in one of the camps of the Tumalo irrigation project Tuesday. The body was found yesterday by engineers. He had been around Bend about a week, and was going to Laidlaw to work on the irrigation project.

OREGON KID FAST AT POTLATCH, TOO

In First Heat of Free-for-All, Walks Away From Rivals.

(United Press Leased Wire.)

Seattle, Wash., July 17.—The power boat Oregon Kid, owned by Captain Milton Smith, of Rainier, Or., Pacific coast 26-foot class champion, had a walkaway in the first heat of the big free-for-all race, in the first day's racing for the Potlatch championship this morning. Piloted by Captain Smith's 18-year-old son, it crossed the finishing line at Madrona a good half lap ahead of its closest competitor, the Red Nose. Unofficial time for the Oregon Kid, for 30 miles, was given out at 47:40. The Sia, a small boat, surprised everybody by finishing third.

At the start of the race, which was made from Madrona Park, the pilot of Poky II. fell out of the boat at the turn. The boat continued going in a circle until the magneto became flooded. The driver hung to a buoy until taken off by a launch.

Baby Bell, owned by M. V. Crowley, of Portland, won the first race, the 26 mile race for 16-foot boats. Red Nose finished second and Searcher third. Official time for this race was 25:40. The Potlatch III. experienced engine trouble and was unable to compete in the free for all.

The Oregon Kid won the third race, a 20 mile event for 26-foot boats. The Kid finished the race in 30:10, outdistancing the Baby Bell, which finished second, by nearly two miles. The Sia again pulled up within the money, crossing the tape a good third. The Poky II., which ran driverless for a short distance in the second race, finished fourth in the final event.

NEHALEM GUARANTEE NOT HELD SUFFICIENT

(Washington Bureau of The Journal.)

Washington, July 17.—The war department has decided that the deposit of $235,000 by the Port of Nehalem with the First National bank of Cleveland in connection with the improvement of the Nehalem bar is not satisfactory security and that bonds deposited by this bank with the treasurer of the United States concerning its issue of national bank notes and deposit of government funds in the bank do not protect the war department. It is required that the bank shall deposit with the secretary of war bonds to the value of $235,000 to be returned to the bank in proportion as the deposit is decreased by the government. Senator Chamberlain elected this information by inquiring as to the status of the work. He is taking the matter up with the department, also with the Port of Nehalem.

LARGEST DREDGE IN WORLD MUST SUFFICE

(Washington Bureau of The Journal.)

Washington, July 17.—Demands from Oregon for more dredges on the Columbia bar have been presented to the war department by Senator Lane, who has informed Lane that the Chinook is the largest dredge in the world, and that more can't be furnished at present, as similar demands come from many places for expeditious work. The suggestion that the Panama canal dredges be sent to Oregon is met by the assertion that they will be needed on the isthmus many months yet.

SET OF STANDARDS WOULD COST $2000

(Washington Bureau of The Journal.)

Washington, July 17.—The bureau of standards has informed Senator Lane the cost of a set of fundamental standards for weights and measures, as is desired by State Sealer F. G. Buchtel will cost $2000. Lane will ask congress to appropriate money for them in case other states also desire sets.

MAN IS ARRESTED FOR NON-SUPPORT OF WIFE

J. R. Morgan was arrested by County Agent Bulger for non-support yesterday and charged with failure to provide for his wife and three children, whom he left destitute. His wife declared that he said he would quit paying on some land near Woodburn and let the contract be rescinded and would give nothing for their support. She also said that he ordered stores not to give her credit on his account.

SPITTING ORDINANCE TO BE STRICTLY ENFORCED

The anti-spitting ordinance will be rigidly enforced by the sanitary inspectors of the city health department, according to Health Officer Marcellus this morning. The fine is not less than $10 or imprisonment.

Orders were issued to the inspectors this morning, and, as they all now carry police stars, they will be expected to enforce the ordinance.

WANTS TO KNOW HOW FAR ORDINANCE GOES

Whether the new dance hall ordinance applies to subscription dances given by the younger set and those given by schools for the purpose of raising money is a question puzzling C. A. Bigelow, commissioner of finance, who has charge of the licensing of dance halls. He has asked City Attorney La Roche for an opinion.

In the meantime if those who wish to dance the tango, bunny hug, Texas Tommy, the San Francisco wiggle, high school dip, and other funny and interesting steps, they had better do it right away, for Patrolman Flack is going to be on the job within a few days.

Flack says he has not worn a dress suit in a long time, but if the ordinance makes it necessary to visit society dances, he probably can wear one as others do.

Hundreds Sign Remonstrance.

A petition six feet in length and containing several hundred names of property owners remonstrating against the proposed district improvement of East Clay and other streets was filed with City Auditor Barbur today. The names are all on one sheet of paper and give the location of the property owned by each remonstrator.

Headquarters, Chamber of Commerce of the U. S. A., Wednesday, July 16, to Thursday, July 17

Ye Oregon Grill

Refined Cabaret

EVELYN GILBERT and the REVUE CHORUS

In 3 performances a day during lunch, dinner and after the theatre.

The Coolest Dining Place in Portland

SIGNOR PIETRO MARINO

And his Orchestra in a Complete New Program.

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AMUSEMENTS

HEILIG 11TH AND MORRISON Phones Main 1, A-1122

TONIGHT 8:30—ALL WEEK MATINEE SATURDAY

JOHN MASON

In Augustus Thomas' Play "AS A MAN THINKS"

Evening and Saturday matinee: Lower floor, 10 rows $2, 12 rows $1.50. Balcony $1, 75c, 50c.

PANTAGES

Broadway and Alder Streets.

WEEK JULY 14—Hiram, with Fred Arbach and the Dream Girls; Roy La Pearl, Howard & De Lores; Lester Brothers, Pantagescope, The Olga Samaroff Trio, direct from St. Petersburg, Popular prices. Boxes and first row balcony reserved. Phones A-2250, Main 4636. Curtain 2:30, 7:15 and 9:10.

LYRIC

A Smashing Musical Comedy Success, "The Bean Trust." A comedy scream, a musical hit. Tuesday night, Athletic Contest. Friday night, Chorus Girls' Contest. Prices, nights, 15c, 25c. Matinee, any seat, 15c.

COLUMBIA THEATRE

SIXTH AND WASHINGTON STREETS

OPEN 11 A. M. TO 11 P. M.

"In the Garden," Edison drama; "The Lost Diamond," Kalem drama; "My Lady of Idleness," Vitagraph comedy; "The Mermaid," Kalem comedy; "The White Egret and Its Foes," Pathe play; Matt Dennis and Karp's orchestra.

10c—ADMISSION—10c

BASEBALL!

RECREATION PARK

Corner Vaughn and 24th Sts.

San Francisco vs. Portland

July 15, 16, 17, 18, 19, 20.

Games begin week days 3:15 p. m. Sunday at 3:30 p. m.

LADIES' DAY FRIDAY

Boys under 12 free to bleachers Wednesday.

The OAKS

Big, Free Bill at Portland's Amusement Park.

2:30 and 8 P. M.

Russi's Royal Italian Band.

Miss Cleora Miller Trio, Playing Everything From Drums to Slide Trombone.

Lee Zimmerman, Comedy Imitator.

Billie and Ada White, Comedy Dancers and Talkers.

Oaks Hawaiians.

Angelo Vitale, Boy Leader.

Cars at First and Alder. Launches—Morrison Bridge.

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Great opportunity for those starting housekeeping to furnish an elegant home at a surprisingly low cost.

63 Fifth St., Cor. Pine

HOW WOULD YOU LIKE ONE of these Elegant JULY INVENTORY REMOVAL SALE PIANOS

$10.00

Will Send One to Your Home.

Usual Price $400, Sale Price $215

Saving to You $185 $6 Monthly; $1.25 Weekly

"Aren't They Splendid?"

The usual expression from purchasers.

The above illustration gives an idea of these elegant Pianos. Come see them, hear the full, rich, mellow tone.

Why should you not buy one of these Pianos now? The "hurry-up time" has arrived—Pianos are selling fast.

You can afford to pay $1 or $2 weekly. You can therefore afford to buy a Piano or Player Piano now.

Removal Sale Catalogue of Musical Instruments mailed free upon request.

GRAVES MUSIC CO.

111 Fourth Street